

Application No. 10/809,248
Amendment dated December 14, 2005
Reply to Office Action of October 17, 2005

REMARKS

Claims 1-9 are pending. Claims 8 and 9 are cancelled herein. Accordingly, claims 1-7 are at issue.

Claims 2-6 and 8 stand rejected under 35 U.S.C. §112, as indefinite. The claims are amended to address the indefiniteness noted by the Examiner such that the indefiniteness rejection is believed to be obviated.

Initially, the indication that claim 2 contains allowable subject matter if rewritten in independent form to include the limitations of its base claim, and the indication that claim 7 is allowed is noted with appreciation. Accordingly, claim 2 is rewritten to include all the limitations of its base claim 1 so that it should now be in condition for allowance.

Claims 1, 3-6, 8 and 9 stand rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 5,156,616 to Meadows et al. in view of U.S. Publication No. 2001/0041916 to Bonutti and in further view of U.S. Publication No. 2003/0065361 to Dreyfuss.

The rejections, as they may apply to the claims presented herein, are respectfully traversed.

Applicant, by way of their undersigned attorney, wish to thank the Examiner for the courtesies extended during the interview of December 8, 2005, conducted in this application. In the interview it was agreed that none of the art of record taught or suggested the system of claim 1 including anchor members that each have an axial bore with the bores each including tapered and radiused surface portions. The cables bear against the surface portions to minimize discrete stress points on the cables, with the tapered surface portion being substantially longer than the radiused surface portion. Further, it was agreed that the art of record does not teach or suggest the method recited in claim 6 including flexing the cables in the axial bores against the elongate tapered surface in each bore and bending the cables about the radiused surface at an end opening of each of the axial bores of the screw anchors to minimize discrete stress points on the cables.

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Accordingly, it is believed all of the claims are now in condition for allowance, and such action as consistent therewith is respectfully requested.

Respectfully submitted,

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